

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office. OCT 23 1992

Returned to applicant for correction. _____

Corrected application filed. _____ Map filed. DEC 10 1992

The applicant. The Robert E. and Twyla S. Whear Family Trust
Box 250 of Minden
Street and No. or P.O. Box No. City or Town
Nevada 89423
State and Zip Code No. hereby make S. application for permission to change the
place of use and manner of use
Point of diversion, manner of use, and/or place of use
of water heretofore appropriated under permit #34820 (Certificate #10567)
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and
identify right in Decree.

1. The source of water is underground
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 1.6 c.f.s. (262.56 acre-feet per year)
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for quasi-municipal
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for irrigation and domestic (87.52 acres)
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point same as existing
Describe as being within a 40-acre subdivision of public survey and by course and
distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing permitted point of diversion is located within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 22, T.33N.,
If point of diversion is not changed, do not answer.
R.56E., M.D.M., from which the NW corner of said section bears N. 76° 54' 36"
W., 4,886.59 ft. dist.

7. Proposed place of use Portions of the following sections, within T.33N., R.56E., M.D.M
Sec. 2: W $\frac{1}{2}$ SW $\frac{1}{4}$; Sec. 3: Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$; Sec. 11: W $\frac{1}{2}$, SE $\frac{1}{4}$; Sec. 14: all except W $\frac{1}{2}$ NW $\frac{1}{4}$; Sec. 15: E $\frac{1}{2}$ SE $\frac{1}{4}$; Sec.
22: E $\frac{1}{2}$ NE $\frac{1}{4}$; Sec. 23: N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$. (See accompanying map)

8. Existing place of use In T.33N., R.56E., the following acreages: Sec. 14: 10.10 acres in
the NW $\frac{1}{4}$ SW $\frac{1}{4}$; 25.51 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 15; 6.78 acres in the
NE $\frac{1}{4}$ SE $\frac{1}{4}$; 25.26 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22: 14.36 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 23:
5.51 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Total acres: 87.52)
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day

10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) Rehabilitation of existing well; pipelines;
State manner in which water is to be diverted, i.e. diversion structure,
storage tank, transmission and distribution lines
ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$250,000.00

13. Estimated time required to construct works five years (well has been operated for irrigation
purposes)

14. Estimated time required to complete the application of water to beneficial use.....ten years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Estimated annual consumptive use: A-4 zoning: 270 residences x 1,000 gpd = 98.55 mga
 R-1 zoning: 130 units (15,000 sq ft lots x 750 gpd = 3.15 mga
 R-2 zoning: 130 apartment units x 500 gpd = 23.73 mga.
 C-1 zoning: 34 4-acre units x 2,000 gpd = 24.82 mga
 TOTAL = 182.69 mga (560.69 acre-feet) A companion new application is being filed
 for the balance of the calculated annual duty requirements. (298.13 acre-feet).

By s/William A. Nisbet
 421 Court Street
 Elko, Nevada 89801

Compared bc/bc

Protested

OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed cubic feet per second.

Work must be prosecuted with reasonable diligence and be completed on or before.

Proof of completion of work shall be filed before.

Application of water to beneficial use shall be made on or before.

Proof of the application of water to beneficial use shall be filed on or before.

Map in support of proof of beneficial use shall be filed on or before.

Completion of work filed.

IN TESTIMONY WHEREOF, I, _____,
 State Engineer of Nevada, have hereunto set my hand and the seal of my

Proof of beneficial use filed.

office, this _____ day of _____,

Cultural map filed.

A.D. 19 _____.

Certificate No. _____ Issued _____

WITHDRAWN BY APPLICANT *as per* JAN 24 2001 *Ky*
Jim Ricci, P.E. STATE ENGINEER

State Engineer